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SECT 01 OF 13735

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REC'D 26 JUL '78

SUBJECT: THIS IS IR (b)(3):10 USC 424

1. COUNTRY: ARGENTINA (AR)
2. REPORT NUMBER: (b)(3):10 USC 424
3. TITLE: (U) POLITICAL-HUMAN RIGHTS PERCEPTIONS
4. PROJECT NUMBER: N/A
5. DATE OF INFORMATION: 780714
6. DATE OF REPORT: 780719
7. DATE AND PLACE OF ACQUISITION: 780714, BUENOS AIRES
8. REFERENCES:
9. ASSESSMENT:
10. ORIGINATOR: (b)(3):10 USC 424
11. REQUEST EVALUATION:
12. PREPARING OFFICER:

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13. APPROVING AUTHORITY: (b)(3):10 USC 424

14. SOURCE:

15. SPECIAL INSTRUCTIONS: (b)(3):10 USC 42 ~~NOFORN TO AVOID EMBARRASSMENT TO HOST GOVERNMENT.~~

16. SUMMARY: ~~(C/NOFORN)~~ GROUP OF CIVILIAN AND RETIRED MILITARY LAWYERS DISCUSS USG HUMAN RIGHTS POLICY AND ITS APPLICATION IN ARGENTINA. PERCEPTION THAT RESULTS HAVE BEEN VERY UNEVEN. FEAR THAT GROWING NATIONALISTIC SENTIMENT IN ARGENTINE POPULATION AND CONTINUED USG SANCTIONS INCREASE DOMESTIC POLITICAL COSTS AND RISKS ASSOCIATED WITH MAJOR ADVANCES IN GOA HUMAN RIGHTS POLICIES.

22. DETAILS: 1. ~~(C/NOFORN)~~ DURING A LUNCHEON WITH FIVE LAWYERS ON 780714, (b)(3):10 USC 424 A DISCUSSION OF USG HUMAN RIGHTS POLICIES IN ARGENTINA.

Sec. 3.3(b) (1)

2. ~~(C/NOFORN)~~ THE ENTIRE GROUP AGREED THAT THE CONCEPT OF HUMAN RIGHTS IS IMPORTANT AND DESERVES THE EMPHASIS GIVEN TO IT BY THE UNITED STATES. THEY ALSO STRESSED THAT THE CONSTITUTION OF ARGENTINA IS FOUNDED ON THE PRINCIPLE OF PROTECTING THE HUMAN RIGHTS OF INDIVIDUALS. SOURCE C OFFERED THE OBSERVATION THAT THE IMPLEMENTATION OF USG HUMAN RIGHTS POLICY VIS-A-VIS ARGENTINA HAD BROUGHT MIXED RESULTS. ON THE POSITIVE SIDE, SOURCE C LISTED THE ACTIONS TAKEN BY THE GOA TO MEET USG DEMANDS FOR PUBLICATION OF LISTS OF DETAINEES, R
LEASE OF SPECNAL PERSONS, AND THE GENERAL
DECLINE IN ARRESTS AND DISAPPEARANCES. THESE WERE COSMETIC CHANGES ACCORDING TO SOURCE C. THE MOST IMPORTANT BENEFIT OF THE USG HUMAN RIGHTS CAMPAIGN HAS BEEN THE VERY GRADUAL INCREASE IN AWARENESS OF THE HUMAN RIGHTS ISSUE AMONG THE POPULACE, AND THE SUPPORT THAT USG PRESSURE HAS GIVEN TT THE MEDIA AND OTHER CONCERNED SECTORS OF THE POPULATION. SOURCE C WARNED, HOWEVER, THAT THERE STILL IS NO

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SIGNIFICANT PUBLIC INTEREST OR DOMESTIC POLITICAL PRESSURE FOR MAJOR CHANGES AFFECTING HUMAN RIGHTS POLICIES AFFECTING HUMAN RIGHTS. ACCORDING TO SOURCE B, THE VAST MAJORITY OF ARGENTINES PERCEIVE THE HUMAN RIGHTS EXCESSES THAT HAVE TAKEN PLACE AS AN ACCEPTABLE PRICE TO PAY FOR THE GOVERNMENT'S SUCCESS IN ELIMINATING TERRORISM.

3. ~~(C/NOFORN)~~ SOURCE A STATED THAT THE USG IMPLEMENTATION OF SANCTIONS TO ENFORCE ITS HUMAN RIGHTS CRNTERIA HAS BEEN UNSUCCESSFUL. HE THEN ADDED THAT THE CHANGES BROUGHT ABOUT BY GOA TO APPEASE THE USG HAVE NOT BEEN OF MAJOR SIGNIFICANCE. THE COST OF IMPLEMENTATION OF THESE USG POLICIES HAS BEEN A GRADUAL ALIENATION OF THE ARGENTINE MILITARY, WHO ARE NOW THE ONLY VIABLE POLITICAL FORCE IN THE NATION. SOURCE B, Sec. 3.3(b)(1) INTERJECTED THAT THE COST OF SANCTIONS IN THE MILITARY INTEREST AREA HAS PROVEN TO BE ONLY A MAJOR IRRITANT; IT HAS NOT BEEN AN ITEM ON WHICH SIGNIFICANT PRESSURE CAN BE APPLIED TO THE GOA. SOURCE C CLAIMED THAT THE MAJOR COST OF THE IMPLEMENTATION OF POLICIES OF THE USG HAVE BEEN TO INCREASE RESISTANCE WITHIN SOME SECTORS OF THE GOA TO SUGGESTIONS OF MAJOR CHANGES IN DOMESTIC POLICIES, BECAUSE THESE CHANGES WOULD APPEAR AS A SELL-OUT TO USG PRESSURES. SOURCE A OFFERED THE OBSERVATION THAT AS A RESULT OF THE INCREASED NATIONAL PRIDE AND NATIONALISTIC FERVOR THAT WAS GENERATED BY THE SUCCESSFUL WORLD CUP SOCCER CHAMPIONSHIP, IN SOME IMPORTANT SECOTRS OF GOVERNMENT AND NON-GOVERNMENT OPINION ARE BEGINNING TO THINK OF THE POLITICAL DIFFERENCES BETWEEN THE TWO NATIONS IN A "THEM VS US" FORMAT. SOURCE A CONSIDERS THAT THIS OVER-SIMPLICATION COULD BE A MAJOR DETERRENT TO IMPROVEMENTS IN THE HUMAN RIGHTS SITUATION WITHIN ARGENTINA BECAUSE IT CLOUDS THE ISSUE OF HUMAN RIGHTS WITH A FALSE SENSE OF NATIONAL PRIDE AND RESISTANCE TO UNCLE SAM MEDDLING IN INTERNAL AFFAIRS. SOURCE C THEN ADDED THAT THE GENERAL POLITICAL AND SECURITY SITUATION IN THE COUNTRY IS FAVORABLE TO
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~~C O N F I D E N T I A L~~ SECTION 2 OF 2 ~~NOFORN~~ JULY 78

MAJOR CHANGES IN THE HUMAN RIGHTS PRACTICES, BUT THE SPECTOR OF USG FORCING A DOMESTIC ISSUE MAY MAKE GOA INITIATIVES MORE DIFFICULT. SOURCE C WARNED THAT IT IS NOT IMPOSSIBLE THAT A SITUATION SIMILAR TO THE BRADEN VS PERON EPISODE OF 1946 MIGHT DEVELOP.

4. ~~(C/NOFORN)~~ SOURCE C STATED FRANKLY THAT THERE HAD BEEN AND CONTINUE TO BE OCCASIONAL ABUSES OF INDIVIDUAL LIBERTIES. THE SIGNIFICANT DIFFERENCE NOW IS THAT THE GOA HAS CHANGED ITS POLICY, AND NO LONGER ACCEPTS THOSE ABUSES AS A ROUTINE PART OF THE ANTI-SUBVERSIVE CAMPAIGN. SOURCE RELATED THE CASE OF A WOMAN THAT HAD BEEN PICKED UP, TORTURED BY POLICE FORCES, AND THEN RELEASED. SOURCE C IS PERSONALLY INVOLVED IN PREPARING THIS WOMAN'S CASE FOR PRESENTATION TO THE MINISTER OF INTERIOR. APPARENTLY THIS

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WOMAN HAD NO CONNECTION WITH SUBVERSION, BUT HAD BEEN PICKED UP AT THE REQUEST OF A BUSINESS COMPETITOR WHO HIRED SOME POLICE TO INTIMIDATE HER. SOURCE C SAID THAT THE IDENTITY OF THE POLICE WAS FAIRLY CERTAIN, AND THAT THE GOA WOULD PROBABLY USE THIS CASE AS AN EXAMPLE TO OTHER POLICE AND SECURITY FORCES THAT MIGHT BE OPERATING INDEPENDENTLY. SOURCE A, Sec. 3.3(b) (1) STATED THAT THE FIGHT AGAINST SUBVERSION MAY HAVE REQUIRED EXCESSES BUT THAT THAT TIME HAD PASSED, AND NOW THE TIME HAD COME TO HOLD PEOPLE ACCOUNTABLE FOR THE TYPE OF ACTIVITY DESCRIBED BY SOURCE C. SOURCE B QUICKLY ADDED THAT PUNISHMENT FOR THESE POLICE PERSONNEL HAD NOTHING TO DO WITH USG PRESSURES ON HUMAN RIGHTS. THIS WAS A MATTER OF DOMESTIC CONCERN FOR THE GOA, AND AFFECTED ITS CREDIBILITY. SOURCE A, WHO HAD NOT BEEN AWARE OF THIS PARTICULAR CASE, SAID THAT HE WOULD TAKE STEPS PERSONNALY TO ENSURE THAT THE MATTER WAS MADE KNOWN TO THE MINISTER OF INTERIOR, AND THAT THE WOMAN INVOLVED SHOULD BE GIVEN PROTECTION TO ENSURE THAT THE POLICE INVOLVED DID NOT TRY TO ELIMINATE HER. SOURCE A SAID THAT THIS WAS A CASE OF BARBARIC GANGSTERISM THAT HAD TO BE PUNISHED IF THE GOA WAS TO MAINTAIN ITS CREDIBILITY WITHIN THE NATION.

COMMENT: ~~(C/NOFORN)~~

Sec. 3.3(b) (1)

AMONG THE GROUP THERE APPEARS TO BE A SINCERE CONCERN THAT THE CAUSTIC RELATIONS BETWEEN THE NATIONS AS A RESULT OF THE USG HUMAN RIGHTS POLICIES MAY BE DEVELOPING INTO AN IMPEDIMENT TO CHANGES IN POLICIES WHICH WOULD IMPROVE THE GENERAL HUMAN RIGHTS SITUATION IN THE COUNTRY. ALTHOUGH NOT SPECIFICALLY STATED, THE MESSAGE THESE LAWYERS SEEM TO TRANSMIT IS THAT INDIRECT PRESSURE IN THE FORM OF US SUPPORT FOR BASIC HUMAN RIGHTS HAS INCREASED PUBLIC AWARENESS AND PROBABLY COULD INCREASE DOMESTIC PRESSURE FOR IMPROVEMENT, AT A TIME WHEN THE POLITICAL AND SECURITY SITUATION HAS DEVELOPED TO A POINT WHERE GOA CAN MAKE MAJOR POLICY CHANGES. DIRECT PRESSURE IN THE FORM OF ACCUSATIONS AND SANCTIONS IS SEEN AS GENERALLY INEFFECTIVE IN THE PAST, AND PERHAPS COUNTERPRODUCTIVE IN THE FUTURE.

THIS MSG COORD W AMEMBASSY. ~~GDS 84,~~

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